

**REMARKS**

**INTRODUCTION:**

In the Office Action, the Examiner noted that claims 1-10 were pending in the application and the examiner rejected all claims. By this amendment, various claims have been amended. Thus, claims 1-10 are pending in the application. The examiners rejections are traversed below.

**REJECTION UNDER 35 U.S.C. §102:**

Claims 1, 3, 8, 9 and 10 were rejected under 35 U.S.C. § 102(b) as being anticipated by Sigal et al., U.S. Patent Number 5,881,292, hereafter referred to as "Sigal". This rejection is traversed and reconsideration is requested.

**THE PRIOR AMENDMENT AND THE EXAMINER'S RESPONSE:**

In the prior Amendment, applicants urged that the Sigal reference does not teach or suggest the claimed "electronic information name distribution means" of claim 1 because in Sigal if a first user updates a first module within the complex system, a second user who later requests the first module in the complex system will receive the original un-updated module. Thus, the current version number of the module is not distributed to the second user with the request for the electronic information. It was also urged that Sigal does not teach or suggest the claimed "version number judging means" of claim 1 because Sigal discloses that when a second user requests a module that a first user has updated, the second user will receive an un-updated copy of the module without judging if the module is the most recent version of the module. Finally, it was urged that the Sigal reference does not teach or suggest the claimed "access permitting means" because Sigal fails to teach or suggest a means for permitting access to the electronic information when it is judged by the version number judging means that the two version numbers coincide.

In item 3 on pages 2 and 3 of the current Office Action, the Examiner has responded to the above arguments by taking the position that column 6, lines 35-43 of Sigal disclose a system for enabling the user to specifically access a particular version of a slave module in

accordance with the dynamic versioning system. The Examiner also relies upon column 7, lines 63-67 and column 5, lines 36-48. The Examiner relies upon column 5, lines 36-48 of Sigal as disclosing that a DVT maps a module name and version number to a unique module content/location. Finally, the Examiner relies upon column 5, lines 36-48 of Sigal to support his position that access to the requested slave module is permitted through the proper functioning of the DVT lookup process.

#### THE PRESENT CLAIMED INVENTION PATENTABLY DISTINGUISHES OVER THE PRIOR ART

The independent claims have been amended to clarify the features of the present invention. For example, claim 1 as amended is clearly directed to an apparatus in which the version number held in the version number holding means is compared with the version number included in the electronic information name previously distributed to the user when the electronic information is subject to an access by each user. The apparatus permits an access only when the two version numbers coincide with each other.

FIGS. 5a & 5b and the accompanying text of the Sigal reference disclose a dynamic versioning system which creates a virtual version of the complex system on the requesting user's private computer, which is designed to prevent an updated version of a module by a second user from corrupting the virtual version of the complex system stored on the first user's personal computer. For example, in the Sigal reference, if a first user updates a first module within the complex system, a second user who later requests the first module in the complex system, will receive the original un-updated module. Thus, the current version number of the module is not distributed to the second user with the request for the electronic information.

The Sigal reference discloses a dynamic virtual version system which, as described in FIGS. 6 & 8, fails to teach or suggest judging means to judge whether or not the version number contained within the electronic information name coincides with the version number held in the version number holding means. The Sigal reference allows multiple users to download un-updated versions of modules that have already been updated by another user without judging if the version number matches the version number contained in the version number holding means. See for example Sigal at col. 5:29-33, which discloses that when a second user

requests a module that a first user has updated, the second user will receive an un-updated copy of the module without judging if the module is the most recent version of the module.

In contrast to the present claimed invention, the process disclosed in the sections of Sigal cited by the Examiner in the current Office Action locates the record holding a module name including a version number indicating a new slave module to DVT when the slave module is subjected to an open request by a user, and to unconditionally distribute copies of the slave module previously provided with the module name to the users. Therefore, the cited portions of Sigal do not teach or suggest the above-described features of the present invention.

Referring to the specific claim language of claim 1, it is submitted that the prior art does not teach or suggest the claimed apparatus including:

electronic information name distributing means for distributing the electronic information name created by said electronic information name creating means, to users of the electronic information;

version number judging means for judging whether or not the version number included in said electronic information name coincides with the version number held in said version number holding means, when the electronic information to be specified by the electronic information name distributed by said electronic information name distributing means is subject to an access by each user of the electronic information;

access permitting means for permitting an access to the electronic information, only when it is judged by said version number judging means that the two version numbers coincide with each other; and

version number updating means for updating the version number held in said version number holding means, when the contents of the electronic information have been updated.

Therefore, it is submitted that claim 1 patentably distinguishes over the prior art.

Claim 3 depends from claim 1 and includes all the features of that claim plus additional features which are not taught or suggested by the prior art. Therefore, it is submitted that claim 3 patentably distinguishes over the prior art.

Claim 8 is directed to an exclusive access controlling method for electronic information, which includes:

an electronic information name distributing process for distributing the electronic information name created by said electronic information name creating process, to users of the electronic information;

a version number judging process for judging whether or not the version number included in said electronic information name coincides with the version number held in said table, when the electronic information to be specified by the electronic information name distributed by said electronic information name distributing process is subject to an access by each user of the electronic information;

an access permitting process for permitting an access to the electronic information, only when it is judged by said version number judging process that the two version numbers coincide with each other; and

a version number updating process for updating the version number held in said table, when the contents of the electronic information have been updated.

Therefore, it is submitted that claim 8 patentably distinguishes over the prior art.

Claim 9 is directed to a recording medium recorded with an exclusive access controlling program for electronic information, for performing a process which includes:

an electronic information name distributing function for distributing the electronic information name created by said electronic information name creating function, to users of the electronic information;

a version number judging function for judging whether or not the version number included in said electronic information name coincides with the version number held in said table, when the electronic information to be specified by the electronic information name distributed by said electronic information name distributing function is subject to an access by each user of the electronic information;

an access permitting function for permitting an access to the electronic information, only when it is judged by said version number judging function that the two version numbers coincide with each other; and

a version number updating function for updating the version number held in said table, when the contents of the electronic information have been updated.

Therefore, it is submitted that claim 9 patentably distinguishes over the prior art.

Claim 10 is directed to an exclusive access controlling method which comprises:

distributing the electronic information name to users of the electronic information; judging whether or not the version included in the electronic information name coincides with the version number held in the table when the electronic information distributed by said distributing is subject to an access by each user of the electronic information;

permitting access to the electronic information only when it is judged that the two version numbers coincide; and

updating the version number held in the table, when the contents of the electronic information have been updated.

Therefore, it is submitted that claim 10 patentably distinguishes over the prior art.

#### REJECTION UNDER 35 U.S.C. §103:

Claims 2, 4 and 6 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 5,881,292 to Sigal et al. (hereinafter "Sigal") in view of U.S. Patent No. 5,586,304 to Stupek et al. (hereinafter "Stupek"). This rejection is respectfully traversed.

Neither the Sigal reference nor the Stupek reference explicitly or implicitly teaches or suggests the above-identified portions of claim 1. Because Sigal, referred to alone, or in combination with Stupek, does not teach or suggest the features as discussed above, claim 1 contains patentable subject matter. Therefore dependent Claims 2, 4 and 6, which contain all the features of independent Claim 1, should not be rejected under 35 U.S.C. § 103(a).

Claims 5 and 7 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 5,881,292 to Sigal et al. (hereinafter "Sigal") in view of U.S. Patent No. 5,586,304 to Stupek et al. (hereinafter "Stupek") further in view of U.S. Patent No. 5,878,432 to Misheski et al (hereinafter "Misheski"). This rejection is respectfully traversed.

None of the Sigal reference, the Stupek reference and the Misheski reference explicitly or implicitly teaches or suggests the above-identified portions of claim 1. Because Sigal, referred to alone, or in any combination with Stupek and Misheski, does not teach or suggest the features as discussed above, claim 1 contains patentable subject matter. Therefore

dependent Claims 5 and 7, which contain all the features of independent Claim 1 should not be rejected under 35 U.S.C. § 103(a).

CONCLUSION:

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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